



THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

ZACHARY W. CARTER
Corporation Counsel

KARL J. ASHANTI
Senior Counsel
Phone: (212) 356-2371
Fax: (212) 788-9776
kashanti@law.nyc.gov

February 23, 2017

BY ECF

Honorable Steven L. Tiscione
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Eugene Moore v. City of New York, et al.
15 CV 4365 (ENV)(JO)

Your Honor:

I represent the defendant City of New York in the above-referenced matter. On behalf of the City, I write to respectfully an adjournment of the settlement conference currently scheduled for Monday, February 27th at 11:00 a.m. until the week of March 27th and a corresponding extension of the March 31, 2017 discovery deadline until April 28, 2017. Plaintiff's counsel and co-defendants' counsel both consent to the application.

After conferring with my clients, the undersigned can report that it is the City's position that it needs to take a comprehensive approach to the prospect of settlement of this matter and the other similar cases involving allegations of gun planting – as opposed to evaluating each case separately, in a vacuum, and thereafter risking having varying and inconsistent outcomes for these cases.

Consequently, it will take additional time to effectuate the kind of analysis that is necessary to follow through on this approach to settlement. For that reason, defendant City requests an adjournment of the settlement conference so that that broader evaluation process can take place. Moreover, defendant City requests an extension of the discovery deadline to April 28th to correspond with the adjournment and allow sufficient time for the parties to complete discovery, particularly depositions, should the matter not be resolved by means of the settlement conference.

In light of the foregoing, defendant respectfully requests that the relief sought herein be granted in its entirety.

Thank you for your consideration of this request.

Respectfully submitted,

/S

Karl J. Ashanti, Esq.

cc: Andrew Hoffman, Esq. (by ECF)
Walter Kretz, Esq. (by ECF)